Fighting Corruption in Asia-Pacific: Strategies for Business, Government and Civil Society

6th Regional Anti-Corruption Conference for Asia and the Pacific
Singapore, 26-28 November 2008

Draft Program

ADB/OECD Anti-Corruption Initiative for Asia-Pacific
Government of Singapore
Reducing corruption in Asia and the Pacific is a shared responsibility

Throughout the Asia and Pacific region, there is a growing recognition of the adverse impact of corruption on equitable and sustainable economic growth. Governments have responded by passing anticorruption legislation, strengthening codes of conduct for civil servants, establishing anticorruption commissions, and anticorruption courts. Governments look to international standards including the OECD Anti-Bribery Convention (1997) and the United Nations Convention against Corruption (2003) to provide a framework for reducing corruption in a comprehensive fashion.

However, reducing corruption is not the responsibility of government alone. Corruption occurs where the private and public sectors intersect. There is both a demand side (bribe solicitation) and supply side (bribe giving) to corruption, and the supply side often takes the form of bribes paid by the private sector. Up to now, strategies for fighting corruption in the region have emphasized the demand side. This conference provides an opportunity to address the supply-side, from the perspectives of the public sector, the private sector, and civil society.

Through a combination of plenary sessions and workshops, the Conference will explore options for countering corruption including the supply-side. Experts from the region, from OECD Countries, from public and the private sector, and from civil society, will meet to assess their shared responsibility to fight bribery and corruption. Based on workshop discussions, the final plenary will propose action to advance the fight against bribe giving in Asia-Pacific.

A forum for government, private sector, and civil society experts

This conference gathers experts from the 28 members of the ADB/OECD Anti-Corruption Initiative for Asia-Pacific and observer countries from the region, OECD member countries, leading enterprises and businesses associations from Asia-Pacific, civil society, and multi-lateral and donor organizations. Participation is by invitation only; individuals interested in attending the conference may request an invitation from the Secretariat of the ADB/OECD Anti-Corruption Initiative for Asia-Pacific.

Contact

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Venue

Suntec City International Convention & Exhibition Centre
Ballroom 2/3, Level 2
1 Raffles Boulevard, Suntec City
Singapore
Draft conference schedule

Wednesday, 26 November 2008

8:00 – 8:45  Registration of participants

9:00 – 9:45  Opening Remarks by Guest of Honor

Associate Professor Ho Peng Kee, Senior Minister of State for Law & Home Affairs, Singapore

Opening Remarks by ADB and OECD

Lawrence Greenwood, Vice President (Operations 2), Asian Development Bank (ADB)
Mario Amano, Deputy Secretary-General, Organisation for Economic Co-operation and Development (OECD)

9:45 – 10:15  Refreshments

10:15 – 12:30  Opening Plenary:

Combating corruption in business transactions

Corruption has an adverse impact on the business and investment climate in the Asia-Pacific region, increases the costs of doing business and correspondingly, the cost of public service delivery. The challenge is to reduce corruption in business transactions by reducing the incentives and increasing the risks associated with corrupt activity.

The plenary session will set the stage for the workshops that follow, by discussing the perceived corruption risk in the region and the impact of corruption on the business and investment climate in Asia-Pacific. It will look at current strategies for reducing corruption, and the importance of fighting the supply-side of corruption. It will also look at the need for business, government, and civil society to share responsibility for finding solutions.

Chair: Patrick Moulette, Head, Anti-Corruption Division, OECD
Speakers:
Soh Kee Hean, Director, Corrupt Practices Investigation Bureau (CPIB), Singapore
Wang Huangeng, Deputy Director-General of the Reporting Center, Ministry of Supervision, People’s Republic of China
Kuniko Ozaki, Director, Division for Treaty Affairs, United Nations Office on Drugs and Crime
David Lyman, Chairman & Chief Values Officer, Tilleke&Gibbins International Ltd., Bangkok
Peter Rooke, Senior Adviser, International Group, Transparency International

12:30 – 14:00  lunch
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<th>Workshop 1</th>
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<td><strong>Combating bribery:</strong> the role of international criminal law standards</td>
<td><strong>Conflict of interest – the soft side of corruption</strong></td>
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Corruption undermines competition and increases the costs of doing business. An effective legal and regulatory framework informed by international legal instruments and based on international standards, which recognizes corruption and bribery as criminal acts, is necessary to support government efforts to reduce corruption.

This workshop will: discuss the issue of bribery within the Asia and Pacific context; discuss international legal standards and their enforcement (in particular UNCAC); present the challenges facing governments as they attempt to implement anti-corruption and anti-bribery offences; and explore options for involving civil society in the legislative process. In addition, it will explore how experience implementing the OECD Anti-Bribery Convention could assist Asia-Pacific countries implement international criminalization standards.

**Chair:**
Hamid Sharif, Principal Director, Central Operations Services Office, ADB

**Rapporteur:**
Andrew Boname, Regional Anti-Corruption Advisor, ABA Rule of Law Initiative

**Speakers:**
- William Loo, Anti-Corruption Division, OECD
- Kuniko Ozaki, Director, Division for Treaty Affairs, UNODC
- Mathew Joseph, Deputy Principal Senior State Counsel, Attorney-General’s Chambers, Singapore
- Jaswant Singh, Deputy Senior State Counsel, Attorney-General’s Chambers, Singapore
- Anthony Kevin Morais, Deputy Public Prosecutor of Attorney General Chambers attached to ACA, Malaysia (tbc)

The intersection between the public and private sector can create opportunities for bribery, but corruption does not always manifest as a financial crime. Conflict of interest occurs when private interest compromises public interest.

The workshop will define conflict of interest, discuss various regulatory approaches for managing conflict of interest, and discuss how conflict of interest manifests at the sector level.

**Chair:**
Koh Teck Hin, Deputy Director (Operations), CPIB, Singapore

**Rapporteur:**
Janet Maki, Ombudsman, Cook Islands

**Speakers:**
- Janos Bertok, Principal Administrator, Directorate for Governance and Territorial Development, OECD
- Arief T. Surowidjojo, Lawyer, Indonesia
- Navita Srikant, Partner, Ernst & Young, India
- William Paterson, World Bank
Thursday, 27 November 2008

8:45–9:15 Refreshments
9:15–12:30 Workshop session (10:30–11:00 refreshments)

Workshop 3
Ethical business practices: Corporate compliance programs and integrity systems

In the wake of numerous corporate scandals and an ever-changing regulatory environment, business leaders are becoming more and more aware of legal and reputational risks associated with corruption.

The workshop will discuss components of effective corporate compliance programs and tools to assist businesses, large and small, in designing and implementing appropriate integrity systems. It will also examine the application of these systems in practice, including in relation to public procurement contracting.

Chair: Li Bo-lan Rebecca, Hong Kong, China
Rapporteur: John Bray, ControlRisks
Speakers: Neil Thamotheram, PriceWaterhouseCoopers Thailand
Juthika Ramanathan, Chief Executive, Accounting and Corporate Regulatory Authority, Singapore
Eddie How, Regional Head of Business Integrity (APME), Shell Eastern Petroleum Pte Ltd, Singapore

Workshop 4
Working together to combat corruption: international and regional initiatives

Individual companies may not always be in the best position to withstand pressure to offer bribes. Regional and international initiatives provide a forum for private sector, public sector, and civil society actors to come together with a common goal of reducing vulnerability to corruption.

The workshop will present lessons learned and assess how international and regional initiatives contribute to raise awareness and commitment to fight corruption in the region.

Chair: Peter Ryan, Director for Intellectual Exchange, Asia-Europe Foundation
Rapporteur: tbd
Speakers: Kathleen Moktan, ADB
Peter Rooke, Transparency International
Manuel de Lemos, Director, Secretariat of State for Natural Resources, Timor-Leste
Ong Hian Sun, Director, Commercial Affairs Department, Singapore & Co-Chair, Asia Pacific Group on Money Laundering

12:30–14:00 lunch
Workshop 5

Private sector corruption: last piece of the puzzle

The general inclination is to think of corruption occurring involving private and state owned actors, in the case of influence peddling, offering and receiving bribes etc. However, corruption also occurs within the private sector. This corruption can be more difficult to address as it falls outside the remit of typical public sector integrity mechanisms.

The workshop will examine how corruption manifests in private-to-private transactions, tools, and options available to address this form of corruption and the linkages with the rule of law.

**Chair:**
Joel Turkewitz, Lead Governance Specialist, World Bank

**Rapporteur:**
tbd

**Speakers:**
Jermyn Brooks, Director, Private Sector Programmes, Transparency International
Ho Wah Lee, Director, Fraud Services, KPMG, Singapore
Li Bo-Ian Rebecca, Assistant Director, Operations Department, ICAC Hong Kong, China
Koh Teck Hin, Deputy Director (Operations), CPIB, Singapore
Melinda Quintos De Jesus, Executive Director of the Center for Media Freedom and Responsibility

Workshop 6

Fighting corruption and the sustainable development agenda

The development community recognizes the profound harm that corruption inflicts on development, and particularly on the poor. A number of bilateral and multilateral donors with programs in Asia and the Pacific coordinate their efforts through the OECD Development Assistance Committee (DAC) Governance Network.

This workshop will focus on key corruption issues that impact on sustainable development in Asia-Pacific (e.g. in mineral extraction, oil and gas industries, and forestry), and follow-up discussions at the 13th IACC in Athens. It will look at the issue of facilitation payments and how they weaken development. It will also discuss how donors incorporate anti-corruption into the broader support for governance, and how they can support efforts aimed at drying out the sources of bribes prevalent in the business sector.

**Chair:**
Joe Hedger, Director, Governance and Anti-Corruption Section, AusAID

**Rapporteur:**
Pauline Tamesis, UNDP

**Speakers:**
Marcel van den Bogaard, DAC GOVNET ACTT
Merceditas Gutierrez, Ombudsman, Philippines
So-yeong Yoon, Deputy Director, Anti-Corruption, International Cooperation Division, Anti-Corruption and Civil Rights Commission (ACRC), Korea
Clare Wee, Director, Integrity Division, ADB

Evening: Asia-Pacific Premiere of “Ethicana” (see descriptive note on p. 7)
Friday, 28 November 2008

08:45–09:15 Refreshments

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Rapporteurs from each of the six workshops will present issues identified during the workshop, the impact of these issues on anticorruption efforts and specific actions.

Chair: Kathleen Moktan, ADB

Speakers: Rapporteurs of workshops 1 to 6

10:45–11:15 Refreshments

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- Presentation and discussion of the draft conference conclusions;
- Adoption of conference conclusions and recommendations.

Panel: Soh Kee Hean, Director, CPIB, Singapore

Kathleen Moktan, ADB

Joachim Pohl, Project Co-ordinator, Anti-Corruption Initiative for Asia-Pacific, OECD

12:15–12:45 Closing remarks

Kathleen Moktan, ADB

Patrick Moulette, OECD

Peter Ho, Head Civil Service, Singapore

To whom it may concern:

Tuesday 17:30–18:30 Preparatory meeting for chairpersons, speakers, and panelists
Venue: Ocean 5 Level 2, Pan Pacific Hotel

Thursday 17:00–18:00 Gathering of workshop chairs and rapporteurs
Venue: Ocean 5 Level 2, Pan Pacific Hotel

About Ethicana:

Ethicana is one element of the Anti-Corruption Education and Training (ACET) project. ACET recognizes that corruption in the global construction industry is a huge economic burden estimated to approach USD500 billion annually; it occurs in every country no matter the form of government; and the level of development or geographic location. Ethicana is a training program, comprised of a DVD and associated training materials. The training materials are currently being developed, and, once available, will be distributed to any interested party free of charge. The development of Ethicana has been supported by a number of private sector and institutional sponsors (including the ADB). The DVD was first premiered in Pittsburg, Pennsylvania, USA on 6 November 2008 and the 6th Regional Anticorruption Conference is proud to host the Asian Premiere of the movie.